

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
EASTERN DIVISION

PROGRESSIVE PREFERRED	)	
INSURANCE COMPANY,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CASE NO.: 3:06-CV-00934
	)	
JMP ENTERPRISES, INC.;	)	
JOHN MARK PARKER; and	)	
JENNIFER GOLDEN,	)	
	)	
Defendants.	)	

**MOTION FOR DEFAULT JUDGMENT**

COMES NOW the plaintiff, Progressive Preferred Insurance Company (“Progressive”), pursuant to Rule 55 of the Federal Rules of Civil Procedure, and moves the court to enter a default judgment against the defendant, JMP Enterprises, Inc., in this case. In support of the motion, Progressive shows unto the court the following:

1. JMP Enterprises filed an answer to Progressive’s complaint on November 13, 2006.
2. Progressive filed a motion to strike JMP Enterprises’ answer on November 29, 2006 on the ground that a corporation can appear in court only through an attorney. It cannot appear pro se.

3. This court entered an order on November 30, 2006 striking JMP Enterprises' answer. It ordered JMP Enterprises, through counsel, to file an answer on or before December 21, 2006.

4. JMP Enterprises failed to file an answer by December 21, 2006. It did not file any corporate disclosure statements in accordance with Rule 7.1 of the federal rules of civil procedure.

5. Therefore, Progressive requests that the court enter a default judgment against JMP Enterprises for its failure to plead, answer, or otherwise defend this case. The plaintiff is submitting the attached affidavit of Larry Bradford in support of its motion.

/s/ R. Larry Bradford

R. Larry Bradford, Attorney for Plaintiff  
Progressive Preferred Insurance Company  
Attorney Bar Code: BRA039

/s/ Shane T. Sears

Shane T. Sears, Attorney for Plaintiff  
Progressive Preferred Insurance Company  
Attorney Bar Code: SEA026

OF COUNSEL:

Bradford & Sears, P.C.  
2020 Canyon Road  
Suite 100  
Birmingham, AL 35216  
(205)871-7733

**CERTIFICATE OF SERVICE**

I hereby certify that I have this the 22 day of February, 2007, served a copy of the foregoing to all attorneys of record by filing same electronically and by placing a copy of same in the United States Mail, postage prepaid and properly addressed as follows:

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/s/ Shane T. Sears  
OF COUNSEL

STATE OF ALABAMA

JEFFERSON COUNTY

**AFFIDAVIT OF LARRY BRADFORD**

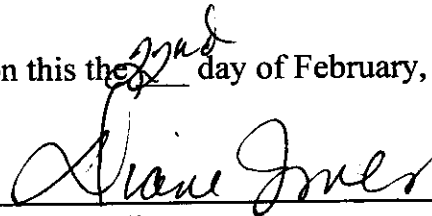
Larry Bradford, being duly sworn, deposes and says on oath as follows:

1. He is the attorney of record for the plaintiff in this case and he has personal knowledge of the facts set forth in this affidavit.
2. The defendant, JMP Enterprises, Inc. ("JMP Enterprises"), was duly served with a copy of the summons and complaint.
3. The court ordered JMP Enterprises to file an answer on or before December 21, 2006 along with its corporate disclosure statement.
4. JMP Enterprises has failed to answer or otherwise defend the complaint and has failed to serve a copy of any answer or other defense which they might have upon the plaintiff.
5. This affidavit is executed by the affiant in accordance with Rule 55(a) of the Federal Rules of Civil Procedure for the purpose of allowing the plaintiff to obtain an entry of a default against the defendant for its failure to answer or otherwise defend the complaint.



R. Larry Bradford

Sworn to and subscribed before me on this the 22<sup>nd</sup> day of February, 2007.



Notary Public

My Commission Expires: 4-4-2010